

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT CINCINNATI**

**UNITED STATES OF AMERICA**

**-vs-**

**Case No. CR-1-00-94 (2)**

**BRIAN MOONEY**

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**ORDER OF TEMPORARY DETENTION  
PENDING HEARING<sup>1</sup> PURSUANT TO  
BAIL REFORM ACT**

Upon motion of the Government, it is **ORDERED** that a detention and probable cause hearing is set for **WEDNESDAY, DECEMBER 26, 2007 at 1:30 P.M.** before United States Magistrate **Judge Timothy S. Hogan**, Potter Stewart U.S. Courthouse, 100 East Fifth Street, Cincinnati, Ohio. Pending this hearing, the defendant shall be held in custody by the United States Marshal and produced for the hearing.

Date: December 20, 2007

  
TIMOTHY S. BLACK  
UNITED STATES MAGISTRATE JUDGE

FILED  
JAMES BONINI  
CLERK  
07 DEC 20 PM 3:44  
U.S. DISTRICT COURT  
SOUTHERN DIST OHIO  
WEST DIV CINCINNATI

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<sup>1</sup>If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the government, or up to five days upon motion of the defendant. 18 U.S.C. § 3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. § 3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the government or upon the judicial officer's own motion, if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate or attempt to threaten, injure, or intimidate a prospective witness or juror.